

This was one of the matters that was discussed until the final stages of negotiations on the NDAA, and apparently the majority leader and other Republican Senators, at the behest of the Trump administration, said no—said no to a provision that had been agreed to unanimously by this body to help protect our elections by deterring Russian interference. The question is, Why? Why, when our own intelligence agencies are telling us that Russia is planning to do in 2020 what they did in 2016, would Republican Senate leaders block a provision that lets Putin know “You will be punished if you do that again. You will be punished if you attack our democracy”? And I haven’t gotten a straight answer to that question. Why not? Why not include that provision? Clearly, there are Senators who don’t want to build up our defenses and deterrence against Russian interference in our elections.

When we failed to get that into the NDAA, I came to the Senate floor, and I asked for unanimous consent to bring up the bipartisan DETER Act. Because every one of the Senators in this body had voted or said through lack of objection that they wanted the DETER Act in the NDAA, I brought up the bill for unanimous consent passing here. Well, the chairman of the Senate Banking Committee came to the floor and objected, and we had a back-and-forth conversation about the DETER Act.

Yesterday, I was planning to come to this floor and again ask for unanimous consent to take up the DETER Act, but we heard from the chairman of the Banking Committee that he wanted to find a way to get this done. So I am going to take the chairman of the Banking Committee up on that offer, and I hope we can get it done. But I want to be really clear. If we are not able to work this out in a smart, straightforward way, which is what the bill does right now—as I said, it has strong bipartisan support right now—then I will be back on the Senate floor regularly to ask for unanimous consent, and any other Senator who wants to come down here and object can do that. That is their right. But I am going to keep pushing this issue because the clock is ticking. Every day that passes while we know from our own intelligence agencies that Russia plans to interfere in the 2020 election and we don’t do anything about it—we are grossly negligent.

I want Senators who are not going to support that to come here in the light of day and let the American public know they are blocking that effort. I hope we don’t have to do that. I hope we can work this out. I hope we can pass the bipartisan legislation that has been sitting in the Senate for over 2 years now as we get warning after warning after warning that Vladimir Putin, the GRU, and the Russians intend to interfere in our democratic process again and attack the integrity of our electoral system.

Let’s get this done. Let’s protect our democracy. Let’s make it clear in advance to Putin that the price he will pay for trying to interfere in our democracy will be much higher than any benefit he expects to gain.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IRAN

Mr. CASEY. Mr. President, I rise today to discuss U.S. policy regarding Iran. We know that in 2009 the new Obama administration came into office at a time when the Iranian regime was racing to develop a nuclear weapon. The prospect of the Iranian regime with a nuclear weapon would present a substantial threat to America and to our allies. At the same time, Iran was engaged in a host of other malign activities, but the most urgent and significant threat was nuclear.

In 2013, Iran was 2 to 3 months from being able to build a nuclear weapon. The Obama administration decided to use hard-nosed diplomacy resulting in the 2015 Joint Comprehensive Plan of Action, known by the acronym JCPOA. This agreement was entered into with a number of countries, three of them our allies—the United Kingdom, France and Germany. We also had two partner countries—countries with which we have a lot of tensions and conflict. We were partners with China and Russia. So this agreement stretched from one end of the world to the other.

The Joint Comprehensive Plan of Action prevented Iran from acquiring a nuclear weapon by, among other steps, authorizing some of the most intrusive inspections that have ever been put into place. This agreement, the JCPOA, did not cover several other nonnuclear malign activities that the Iranian regime was and is engaged in. The JCPOA isolated and largely solved the most dire threat, that of a nuclear-armed Iran in the near future.

This agreement, from its signing in 2015 through 2018, worked. Until recently, Iran was complying with the Joint Comprehensive Plan of Action. That is the considered judgment of the International Atomic Energy Agency, known as IAEA. The considered judgment of the U.S. intelligence community was that Iran was complying with the agreement. It was also the judgment made by the U.S. Department of State and the U.S. Department of Defense in both the Obama administration and the Trump administration.

The determination that Iran was complying with the agreement is also the assessment of our allies and partners with whom the Obama administration worked to bring into a coalition.

Here is a sampling of assessments prior to recent events. In September

2017, then-Secretary of State Rex Tillerson stated that Iran is in “technical compliance” with the JCPOA.

Second, in October 2017, then-Defense Secretary Jim Mattis stated that Iran was “fundamentally” in compliance with the JCPOA. “Overall our intelligence community believes that they have been compliant and the IAEA also says so,” said General Mattis, then Secretary of Defense.

In March 2018, IAEA Director Amano stated: “Iran is implementing its nuclear-related commitments. . . . If the JCPOA were to fail, it would be a great loss for nuclear verification and for multilateralism.”

Finally, No. 4, in January 2019, former Director of National Intelligence Dan Coats, a former Republican Senator from the State of Indiana, said: “We continue to assess that Iran is not currently undertaking the key nuclear weapons development activities we judge necessary to produce a nuclear device.”

Three of the four officials—Secretary of State Tillerson, Secretary of Defense Mattis, and Director of National Intelligence Coats—all three were appointed by President Trump.

President Trump came into office determined to pull out of this agreement, despite the fact that it was working. He surrounded himself with advisers who supported a policy of regime change. Of course, the words “regime change” are words that they will not say out loud—the President or his administration—but that is the policy. The American people, after nearly two decades of conflict, know that regime-change policy is a march to war.

This administration calls their regime change policy a “maximum pressure campaign.” Its stated goal was to force Iran to negotiate a new agreement that would include a host of other nonnuclear issues. Despite the stated goal, an examination of the methods used to achieve it make it obvious that the administration was engaged in a policy that would most likely lead to war instead of a new agreement. The administration pulled out of the nuclear agreement, which was working, and while it was in effect, it took the threat of a nuclear-armed Iran off the table.

The administration reimposed sanctions which were lifted as part of the nuclear agreement. They engaged in a host of other activities that resulted in increased risks and moved us further away from a diplomatic resolution.

The administration’s regime change policy was supposed to deter the Iranian regime from threatening our Nation and its allies. This policy has not done that. This policy was supposed to bring Iran to the bargaining table. It has not. It was supposed to cajole Iran to behave like a “normal nation.” Once again, it has not.

Tensions have increased. Threats to our servicemembers, our citizens, and allies have increased, not decreased. The region—the Middle East—is less

stable. Iran is closer—closer—to obtaining a nuclear weapon.

The terrible results of this policy were predictable. The administration, including Secretary Pompeo and former National Security Advisor John Bolton, never had any intention of forging a new diplomatic agreement with Iran. All of this is how our Nation has found itself on the brink of war with Iran, facing the potential of another bloody conflict in the Middle East.

Americans across our country are well aware of the events leading up to the killing of Iranian General Qasem Soleimani, the leader of Iran's Quds Force on January 2. Following the killing of an American contractor at a U.S. military compound in Kirkuk, Iraq, on December 27, the U.S. military retaliated with a strike against the Iranian-backed Kataib Hezbollah terrorist group, killing at least 25 members of the militia and wounding others.

In response, the Iranian Government orchestrated protests in Baghdad, which led hundreds of pro-Iranian protesters to storm the U.S. Embassy in Baghdad on New Year's Eve. The strike against the Quds Force Commander Qasem Soleimani followed.

Soleimani was a military figure who inflicted terror and killed thousands in Israel, Iraq, and Syria as well. You can add other places to that. He killed thousands. He worked to prop up Bashar al-Assad in Syria. He aided Shiite forces that killed hundreds of Americans in Iraq. We have been told that he was behind the attacks on the U.S. Embassy in Baghdad on New Year's Eve. Qasem Soleimani was directly responsible for the killing of hundreds of American soldiers and civilians and wounding many more. He was a despicable person who was the leader of an entity designated as a terrorist organization.

Across the international stage, there are many committed enemies of America who plot every day to do our Nation and our allies harm—every single day. Those entrusted with the national security of our Nation have to assess whether taking direct action against one of those individual enemies increases or decreases risks over time and whether taking actions against those individuals is consistent with our values and our commitment to the rule of law.

This is a high standard, and it should be. We are the United States of America, and we believe that conflicts have rules and limits. We strive for a higher standard that both honors our values and protects our security. Because we have high standards and because we expect our leaders to act prudently and with deliberation, the Constitution requires substantial consultation with Congress regarding matters of war except in limited, urgent circumstances.

Acting with disregard for these standards, President Trump took this unilateral action. The President may

have endangered the lives of U.S. servicemembers in the Middle East. He may have also prompted near-lethal retaliation from Iran.

Iran's retaliatory strikes against U.S. bases at Al-Asad and Erbil on January 7 thankfully did not claim any American lives. However, conflicting reports continue to emerge about whether Iran intentionally avoided hitting U.S. personnel, and that raises questions about whether Iran sought to escalate or de-escalate its conflict with the United States.

Video evidence has emerged in recent days showing that the Iranians actually decimated housing units for soldiers on the base. Without having received a classified briefing from the administration about this incident—as opposed to the briefing we had on the killing of Soleimani, which I will get to later—without having that classified briefing, we can rely upon press reports for some information. Press reports indicate that the Iranians were aiming to take American lives.

The fallout from the Soleimani strike didn't end there. On January 8, the Iranian Government covered up the fact that it mistakenly shot down a civilian aircraft killing 176 people on-board. The Iranian people have since taken to the streets in protest of the coverup. I strongly condemn the Iranian Government's crackdown on protesters and support the Iranian people's right to rise up and demand human rights and democratic governance in their country.

But let's not lose focus on a very important matter: President Trump ordered a targeted killing of a high-ranking military official of a country with which we are not in a declared or authorized conflict. This is a serious step which required both a rigorous examination as well as an explanation from the administration. Thus far, the explanations we have received from this administration have been woefully inadequate and inconsistent—and I think that is an understatement.

We have been told that this strike was in response to an "imminent threat" that four U.S. Embassies abroad were being targeted, which Defense Secretary Esper almost immediately contradicted.

The word "imminence" is important here. Imminence derives from the doctrine of self-defense, which under article 51 of the United Nations Charter and the broader "laws of war," imminence justifies use of force in another state's territory when an armed attack occurs—occurs—or when an armed attack is imminent. Some national security scholars define "imminence" as "leaving no reasonable time for non-forceful measures to obviate such a threat."

I will speak for myself only, but this is true of a number of Senators, I believe. I have yet to see clear evidence that there was "no reasonable time" to seek nonlethal, diplomatic options prior to killing Soleimani. The admin-

istration has failed to disclose sufficient detail regarding the imminence of this threat. When asked on Friday, Secretary Pompeo said he did not know when this asserted imminent threat was supposed to take place.

The American people have also heard from Secretary Pompeo and President Trump that the attack was a matter of retribution from events that occurred in the past. We have heard from Secretary Pompeo that this attack was designed to "restore deterrence," but it is unclear that he coordinated with his national security colleagues across the interagency.

We know from reporting from the New York Times that Secretary Pompeo was among the "most hawkish voices arguing for a response to Iranian aggression." The article also goes on to say: "Top Pentagon officials were stunned" in reference to the strike.

So the question of why this strike was launched and when it was launched remains unanswered. Both Democratic Senators and Republican Senators asked this question in a classified briefing last week and few received a satisfactory answer. We still lack answers on the "imminent threat."

The President has spent the last week at rallies and other appearances triumphantly marking the killing and indicating that the Iranian threat is behind us. The strike authorized by President Trump may have been reckless, taken without appropriate planning for the consequences and aftermath, and done without serious consultation with Congress and—and—within the administration. Contrary to the President's boast, I am gravely concerned we will feel the adverse consequences of this administration's actions across the Iran policy landscape for years to come.

If we think the attacks on the Al-Asad and Kirkuk bases last Tuesday were the end of Iranian retaliation for Soleimani's death, we are likely mistaken, due to the continued threat of the Iranian regime's proxy forces throughout the Middle East. Let's examine the potential negative consequences of the strike. I hope this is something that the administration engaged in before the strike, but it is important to review this.

On January 5, Iran announced that it is no longer bound by the restrictions of the Joint Comprehensive Plan of Action as it relates to uranium enrichment. This agreement unequivocally extended Iran's breakout time, which is the time it would take to obtain enough highly enriched uranium for a nuclear bomb. The agreement extended the breakout time to 12 months—1 year. Again, before the agreement, Iran's breakout time was 2 to 3 months. So the agreement extended that time, meaning making the world safer by extending that time from 2 to 3 months to 1 year. That is where we were with the implementation of the agreement.

Without this agreement—the JCPOA—without that agreement in

place, Iran could reach the requisite uranium stockpile in as little as 6 months, if not sooner. Iran is closer today to a nuclear weapon than it was a week or so ago, and certainly it is closer to a nuclear weapon since 2018, when the administration withdrew from the Joint Comprehensive Plan of Action. That is one consequence we have to consider. Iran is closer to a nuclear weapon.

No. 2 is ISIS. If the President's October 2019 withdrawal of U.S. forces from Syria and the concurrent abandonment of our Kurdish allies—if that did not create space for the resurgence of ISIS in the Middle East, the President's recent action will almost certainly allow for ISIS to regain a foothold in the region. Just 3 days after the Soleimani strike, the New York Times reported that, and here is the headline, "U.S.-Led Coalition Halts ISIS Fight as it Steels for Iranian Attacks"—halts ISIS fight. NATO has already suspended its operations against ISIS. We have to consider, how does that outcome make us safer?

Next, No. 3, we have to consider what is happening in Iraq. Iraq voted to expel U.S. troops from their country as a result of the strike. If we fully withdraw from Iraq, where are we going to launch counter-ISIS operations in both Iraq and Syria from? How do we do that—from where? Where was the effort to work with the Iraqi Government in quashing Kataib Hezbollah and countering Iranian influence in Iraq? Now that the Iraqi Government opposes U.S. troop presence in its country, what is the plan? How does the administration plan to restart conversations with Iran to negotiate a "better" nuclear deal that will ensure Iran never has a nuclear bomb? How do they restart those negotiations? This strike looks more like another step forward in a policy of regime change rather than a coherent strategy designed to keep our Nation safe by using tough diplomacy and alliance-building to confront Iran.

I have been one of the most determined advocates of being tough on Iran, especially regarding sanctions. Since I came to the Senate in 2007, I have been part of almost every sanctions push in efforts to so-call tighten the screws on the Iranian regime and hold them fully accountable for their actions. All those steps that I have been a part of, and people of both parties have been a part of, were part of a strategy to get the results we saw when the Joint Comprehensive Plan of Action was signed.

Now, 2 years and after one particularly dangerous week, President Trump has badly undermined all that progress. The advocates of regime change in Iran are closer than ever to getting the United States into a shooting war with Iran.

The events of the last few weeks remind me of the lead-up to the U.S. invasion of Iraq in 2003. Across both the House and the Senate, Congress held

only seven hearings that dealt directly with the proposed 2002 authorization for the use of military force to authorize the Iraq war. AUMF is the acronym for that. Are seven hearings, over a period of 3 weeks between the House and the Senate, sufficient discussion and debate prior to voting to go to war with Iraq? No. No, that is not sufficient time and not a sufficient number of hearings.

At last count, 201 Pennsylvanians were killed in Iraq and over 1,200 were wounded. Have we learned from the mistakes of 2002 and 2003 that led to those deaths and all those Pennsylvanians being wounded and many thousands beyond that killed and wounded in the Iraq war? Have we learned? Have we learned those lessons yet? We have a duty—an abiding obligation—not to repeat the mistakes of the past and to constrain the actions of a President who may endanger the lives of U.S. servicemembers and Americans abroad.

Before we get too far down this path, Congress must reassert its constitutional duty to debate and authorize war. Prior to authorizing a strike, we must assess—and I hope the administration did this—whether such an action would have an adverse impact on our national security. Before we march our sons and daughters off to fight another war, we need to make sure we are doing everything possible to prevent the loss of American lives.

I have been clear in opposing a direct confrontation with Iran without—without a clear authorization from Congress. The Trump administration acted without a congressionally approved authorization for the use of military force last week. That is why I and many others have cosponsored Senator TIM KAINE's bipartisan S.J. Res. 68 to prevent the President from going to war with Iran without congressional authorization. If you want to go to war with Iran, you ought to be compelled to vote for it, up or down—vote for or against as a Member of Congress. Specifically, this resolution, S.J. Res. 68, requires the President to "terminate the use of the United States Armed Forces for hostilities against the Islamic Republic of Iran or any part of its government or military unless explicitly authorized by a declaration of war or a specific authorization for the use of military force" as enacted by Congress. Nothing in this resolution prevents the United States from "defending itself against imminent attack." Those are the exact words.

It is authorization or declaration before you go to war with Iran. I think a lot of Americans—most Americans—believe that is not just the right thing to do but that is our duty, no matter who is President.

When the administration fails to brief Congress on threats we face and concurrently takes unilateral actions that could lead to all-out war, we must act quickly and decisively to prevent further escalation and demand a strategy. We owe it to Pennsylvanians, and

we owe it to all Americans, especially our men and women in uniform and their families, to engage in a substantial, robust public debate on what engaging in hostilities with Iran would mean for U.S. national security and how it could endanger American lives. The House vote of last Thursday was to reassert this congressional authority, and the Senate will vote this week. I urge a vote in support of S.J. Res. 68, which has several bipartisan cosponsors.

This is a dark time, and I cannot overstate my level of concern. I know that concern is shared widely here in Congress but also across the country. As to Iran, we are headed down a path to war, one which could be more bloody, more complicated, and more protracted than any in my lifetime. We have been walking down this path since President Trump pulled out of the Joint Comprehensive Plan of Action. Every week since, we are a little closer to an armed conflict, and the events of these past weeks have likely turbocharged the dangerous path we are on.

Going back to the time of the Vietnam war and thereafter, elected leaders of both political parties have lied to the American people. The American people were told we were making progress, when we weren't. The American people were told that insurgencies were in their "last throes," when the opposite was true. The American people demand that politicians don't make serious mistakes that lead to war.

The good news is, we still have time. We have time to get it right. We have time to engage in hard-nosed diplomacy. We have time to reject a policy of regime change regarding Iran. There is time for this administration to outline and implement an effective Iran strategy that substantially reduces the likelihood of war in a nuclear-armed Iran, but time is running short.

The administration may be committed to a policy of regime change, but the Senate can act. We can pass the bipartisan S.J. Res. 68 and other measures to make sure this administration cannot take us recklessly to war with Iran without congressional authorization or a declaration of war. We owe it to the American people and to our servicemembers to do this.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

#### CHINA TRADE DEAL

Mrs. BLACKBURN. Mr. President, over the past few months, we have spent a great deal of time in this Chamber discussing our adversarial relationships with other countries, but